

## REMARKS

This Amendment After Final is filed in response to the Office Action mailed on 17 April 2006 for the subject patent application.

The Applicants originally filed the application with claims 1-34. In the present Amendment, the Applicants amend claims 1, 6, 13, 14, 15, 19, 21, 24, 25, 28, and 31, and cancel claim 5. Therefore, claims 1-4 and 6-34 as amended are pending in the present application. As required by 35 U.S.C. § 132, no new matter has been entered by amending claims 1, 6, 13, 14, 15, 19, 21, 24, 25, 28, and 31. The Applicants respectfully request entry of the Amendment and reconsideration of the present application in light of the arguments provided herein.

*In the Office Action of 17 April 2006, the Examiner again rejected claims of the present application under 35 U.S.C. § 102 and 103 based on U.S. Patent No. 6,477,363 to Ayoub and U.S. Patent No. 6,907,238. In response, the Applicants respectfully disagree with the Examiner's rejections and submit that all claims as amended are allowable over the prior art of record for at least the following reasons.*

For proper rejections under 35 U.S.C. § 102 and § 103, the prior art individually or in combination must teach or suggest each and every claim limitation. In the present case, the prior art fails to teach or suggest the steps of "in response to receiving the voice call request: deriving GPS assistance data based on the stored GPS navigational-type data; tuning the wireless transceiver to a GPS frequency to receive signals from a GPS system through the wireless transceiver; [and] causing a GPS fix to be performed with the signals from the GPS system using the GPS assistance data to thereby obtain GPS measurement data" (e.g. claims 1-4 and 6-20).

Again, Ayoub et al. fail to explicitly teach or suggest the step of causing a GPS fix to be performed with signals from a GPS system *in response to the voice call request*

but *prior to the voice call being established*. The present application describes what occurs during the GPS fix on page 17 at lines 4-9:

the processor of mobile station 102 causes a GPS fix to be performed with GPS system 154 (step 308 of FIGs. 3-4). During the GPS fix, the wireless receiver of mobile station 102 is tuned to a GPS frequency to receive GPS signals from GPS system 154. Mobile station 102 obtains GPS measurement data associated with mobile station 102 based on the GPS signals received from GPS system 154. The GPS measurement data may be or include GPS pseudorange data.

In attempt to identify an equivalent teaching in Ayoub et al., the Examiner cites to a passage in Ayoub et al. at 4:20-35. The referenced passage of Ayoub et al. generally describes a mobile phone that transmits audio tones representing longitude and latitude during a call to an authority or during call setup. The passage also indicates that “[t]he audio tones uniquely represent longitude and latitude of the *last captured position*,” but refers to no GPS fix that occurs after the voice call request and prior to the voice call establishment. Thus, the prior art fails to teach or suggest the steps of “in response to receiving the voice call request: deriving GPS assistance data based on the stored GPS navigational-type data; tuning the wireless transceiver to a GPS frequency to receive signals from a GPS system through the wireless transceiver; causing a GPS fix to be performed with the signals from the GPS system using the GPS assistance data to thereby obtain GPS measurement data” (e.g. claims 1-4 and 6-20) which is followed by a voice call establishment.

Claims 1, 6, 13, 14, 15, 19, 21, 24, 25, 28, and 31 have also been amended. The Applicants have revised the claims to further recite mobile operation using the same wireless transceiver (e.g. CDMA transceiver) in the technique. As recited in the claims, the mobile station is required to tune its wireless transceiver to a GPS frequency of the GPS system for the GPS fix and subsequent retune the wireless transceiver back to the wireless network for the voice call. The prior art alone and in combination fails to teach or suggest the same.

Finally, the prior art also fails to teach or suggest the step of “in response to identifying the trigger signal [indicative of a request to terminate a voice call]: causing a GPS fix to be performed with a GPS system using GPS assistance data to thereby obtain GPS measurement data” (e.g. claims 21-34). In attempt to identify an equivalent teaching in Ayoub et al., the Examiner cites to passages in Ayoub et al. at 4:15-19 and 4:20-35. The referenced passage of Ayoub et al. generally describes a mobile phone that detects a voice call request (not a termination request) and then transmits audio tones representing longitude and latitude during the call to an authority or during call setup. The Examiner makes reference to a “panic button” in the prior art at column 4 at lines 15-9. This is not the same as identifying a trigger signal indicative of a request to terminate a voice call, and the Examiner fails to articulate any reason why it would or could be.

Therefore, the prior art of record fails to teach or suggest the step of “in response to identifying the trigger signal [indicative of a request to terminate a voice call]: causing a GPS fix to be performed with a GPS system using GPS assistance data to thereby obtain GPS measurement data” which is followed by a voice call termination as provided in claims 21-34 as amended.

Based on the above, the Applicant respectfully requests the Examiner to withdraw all rejections and allow all pending claims 1-4 and 6-34 as amended. The Applicant respectfully submits that the present application is now in a condition suitable for allowance based on the claim amendments and arguments provided herein.

Thank you. The Examiner is welcome to contact the undersigned if necessary to expedite prosecution of the present application.

Date:

7 June 2006

Respectfully submitted,

JOHN J. OSKOREP

Reg. No. 41,234

JOHN J. OSKOREP, ESQ. LLC  
ONE MAGNIFICENT MILE CENTER  
980 N. MICHIGAN AVENUE, SUITE 1400  
CHICAGO, ILLINOIS 60611 USA

Telephone: (312) 222-1860 Fax: (312) 475-1850